

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking Regarding the Applicability
of the Commission's Right-of-Way Rules to Commercial
Mobile Radio Service Carriers.

Rulemaking 14-05-001
(Filed May 1, 2014)

**DECISION GRANTING COMPENSATION TO THE UTILITY REFORM
NETWORK FOR SUBSTANTIAL CONTRIBUTION TO DECISION 16-01-046**

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| Intervenor: The Utility Reform Network (TURN) | For contribution to: Decision (D.) 16-01-046 |
| Claimed: \$71,970.01 | Awarded: \$71,807.51 (0.23% reduction) |
| Assigned Commissioner: Liane M. Randolph | Assigned ALJ: Timothy Kenney |

PART I: PROCEDURAL ISSUES

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| A. Brief description of Decision: | The decision amends right-of-way rules to provide commercial mobile radio service (CMRS, or wireless) carriers with nondiscriminatory access to utility distribution poles for installation of antennas and related equipment. The decision sets default rates for pole attachments, and revises certain safety rules in General Order (GO) 95. |
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**B. Intervenor must satisfy intervenor compensation requirements set forth in Pub.
Util. Code §§ 1801-1812:**

| | Intervenor | CPUC Verified |
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| Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)): | | |
| 1. Date of Prehearing Conference (PHC): | August 6, 2014 | August 6, 2014 |
| 2. Other specified date for NOI: | | |

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| 3. Date NOI filed: | August 26, 2014 | August 26, 2014 |
| 4. Was the NOI timely filed? | | Yes |
| Showing of customer or customer-related status (§ 1802(b)): | | |
| 5. Based on ALJ ruling issued in proceeding number: | R.14-05-001 | R.14-05-001 |
| 6. Date of ALJ ruling: | September 5, 2014 | September 5, 2014 |
| 7. Based on another CPUC determination (specify): | | |
| 8. Has the Intervenor demonstrated customer or customer-related status? | | Yes |
| Showing of “significant financial hardship” (§ 1802(g)): | | |
| 9. Based on ALJ ruling issued in proceeding number: | R.14-05-001 | R.14-05-001 |
| 10. Date of ALJ ruling: | September 5, 2014 | September 5, 2014 |
| 11. Based on another CPUC determination (specify): | | |
| 12. Has the Intervenor demonstrated significant financial hardship? | | Yes |
| Timely request for compensation (§ 1804(c)): | | |
| 13. Identify Final Decision: | D.16-01-046 | D.16-01-046 |
| 14. Date of issuance of Final Order or Decision: | February 1, 2016 | February 1, 2016 |
| 15. File date of compensation request: | February 26, 2016 | February 26, 2016 |
| 16. Was the request for compensation timely? | | Yes |

PART II: SUBSTANTIAL CONTRIBUTION

A. Did the Intervenor substantially contribute to the final decision (see § 1802(i), § 1803(a), and D.98-04-059).

| Intervenor’s Claimed Contribution(s) | Specific References to Intervenor’s Claimed Contribution(s) | CPUC Discussion |
|--|---|------------------------|
| 1. <u>No Subsidy Policy</u> . TURN asked that the Commission emphasize that ratepayers should not subsidize wireless carrier pole attachments. | Decision, p. 30, “We agree with the Electric IOUs and TURN that the charges and fees adopted by today’s decision ... should not subsidize CMRS pole attachments.” | Accepted. |

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| (Comments, December 19, 2014, p. 2; Comments, April 17, 2015, p. 3.) | | |
| 2. <u>Dollars at Stake</u> . TURN estimated that annual pole attachment revenues in California will fall within a range of \$1 million to \$2 million, an amount that is small relative to overall electric distribution revenues. (Comments, December 19, 2014, pp. 2-5.) | Decision, summary at p. 3; discussion at p. 42, citation to TURN position at footnote 52; discussion at p. 46, “The record of this proceeding indicates that the adopted charges and fees for CMRS attachments will result in revenues for pole owners, and expenses for CMRS carriers, that are immaterial compared to their total revenues and costs,” citation to TURN comments in footnote 62; p. 129, Finding of Fact 41. | Accepted. |
| 3. <u>Rate Structure</u> . TURN’s showing emphasized rate structure, fees and charges for pole attachments. (Comments, December 19, 2014, pp. 2-12; Reply Comments, January 7, 2015, pp. 1-4, 6; Comments, April 17, 2015, pp. 1-3; Reply Comments, April 24, 2015, pp. 1-2.) TURN and the electric utilities recommended a rate structure that included a “make ready” charge, a fee for support structures, and a usage charge of 7.4% per vertical foot of pole space used by the antenna plus safety clearances. Most if not all wireless parties opposed this structure. | Decision, Summary at pp. 2-3; discussion at pp. 15-44. The Commission adopted the central features of utility/TURN recommendations. TURN prevailed in large part on rate structure issues. Decision, p. 25, “As TURN notes, the make-ready charge ... is reasonable because it consists of the actual costs incurred by the utility to make its infrastructure available to the attacher. The annual recurring fee for use of support structures other than ... is reasonable because it allocates the cost-of-ownership for a support structure to attachers based on their proportionate use of the structure,” with citation to TURN comments in footnote 25. Decision, p. 35, and footnote 38, for citation to TURN’s position on pole loading, “The record further shows that the loads imposed on poles by pole-top antennas are the same order of magnitude as the loads imposed by ... wireline attachments in the communication space.” | Accepted. |
| 4. <u>Expense Adder</u> . This story began with electric utility | Workshop report, April 7, 2015, discussion at pp. 9-10. In Appendix C, | Accepted. |

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| <p>claims that pole attachments would substantially increase both administrative and general (A&G) and operations and maintenance (O&M) expenses. The utilities proposed cost recovery through new balancing accounts. TURN asserted that the claimed costs were exaggerated, and proposed a 15% price adder to cover a reduced level of costs. (Comments, December 19, 2014, pp. 9-11; Comments, April 17, 2015, pp. 3-4.) Following utility responses to related TURN discovery requests, and workshop discussion, the utilities withdrew their requests for added A&G and O&M cost recovery, and for new balancing accounts. They eventually suggested a state-wide data base of pole attachments and load calculations, with costs to be recovered in utility general rate cases. TURN then withdrew its recommendation for a 15% adder.</p> | <p>p. C-3, Q/A 6, the utilities explained how their calculations of pole revenue requirements already include O&M costs. See also p. C-5, Q/A 8.</p> <p>TURN's efforts were successful in convincing the utilities to withdraw their proposals for recovery of incremental A&G and O&M costs. Although TURN subsequently withdrew its 15% adder proposal, ratepayers benefited from the utility explanations and concessions.</p> | |
| <p>5. <u>Ratemaking Accounting</u>. TURN raised ratemaking accounting issues associated with pole attachment revenues: recording of "make ready" revenues as contributed plant; recording of 7.4% fee revenues as other operating revenue; rate base and retirement accounts. (Comments, December 19, 2014, pp. 15-16; Comments, April 17, 2015, p. 8.)</p> | <p>Decision, pp. 46-47, "Consistent with TURN's recommendation, public utilities shall record ...;" citation to TURN comments in footnotes 62 and 63. See also p. 132, Conclusion of Law 20.</p> | <p>Accepted.</p> |
| <p>6. <u>Discrimination</u>. TURN</p> | <p>TURN and the electric utilities prevailed</p> | <p>Accepted.</p> |

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| <p>opposed wireless party arguments (for example, see Decision, p. 21) that charging for pole-top space would be discriminatory. (Reply comments, January 7, 2015, pp. 3-4, 5; Reply Comments, April 24, 2015, pp. 3-6.) TURN's position was that ordering pole attachment charges that differ from cable TV or local telephone charges would not be discriminatory. TURN specifically argued that wireless facilities, cable television lines, and local telephone facilities are not similarly situated. (Reply Comments, April 24, 2015, p. 4.)</p> | <p>on rate discrimination issues. See Decision, pp. 33-34, discussion, charging for safety clearances is not discriminatory; p. 39, "CMRS installations are differently situated with respect to attachments in the common space," charging for use of common space is not discriminatory; p. 125, Finding of Fact 13, "CMRS facilities are differently situated ...;" Finding of Fact 14; p. 130, Conclusions of Law 7 and 8; p. 131, Conclusions of Law 13 and 14.</p> | |
| <p>7. <u>Safety Rules.</u> TURN's showing did not emphasize safety issues, but TURN participated in workshop discussions and addressed all safety rule proposals in written comments.</p> <p>TURN joined other parties in support of consensus rule changes. (Comments, December 19, 2014, pp. 12-14; Reply Comments, January 7, 2015, p. 5; Comments, April 17, 2015, pp. 4-7; Reply Comments, April 24, 2015, pp. 4-5, 6.)</p> <p>TURN supported revisions to Rule 94.9 in GO 95, and new Rule 94.12.</p> <p>TURN opposed adoption of a new Rule 94.10. (Comments, April 17, 2015, p. 6.)</p> <p>TURN took neutral positions</p> | <p>The Commission adopted the two proposed rule changes for which consensus was achieved. Decision, pp. 48-49, and Appendix B, p. B-2.</p> <p>TURN and one other party argued that the current Rule 94.9 is vague. (Decision, p. 82.) The Commission agreed, and adopted the proposed rule change. (Decision, pp. 87-88.) TURN prevailed on this rule change.</p> <p>The Commission cited TURN's positions that proposed new Rule 94.12 would promote safe working practices near electric supply lines, and the proposed rule would not have substantial cost impacts on ratepayers. (Decision, p. 113.) The Commission adopted a new Rule 94.12, but with different language from that proposed by Safety and Enforcement Division. (Decision, Appendix B, p. B-6, Appendix C, p. C-4.) The new rule will promote safe working practice as TURN noted. Overall, TURN made a</p> | <p>Accepted.</p> |

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| <p>regarding Rules 94.3-D, 94.5, 94.6 and alternates, and 94.11 and one alternate. (Comments, April 17, 2015, pp. 5-7.)</p> <p>The proposed new Rule 94.11 would require recalculation of pole burial depth to account for added pole length caused by pole-top antennas. TURN was not convinced that utilities should undertake the expense of resetting poles by only a few inches. TURN stated, “Perhaps a better approach would be to recalculate the pole safety factor assuming addition of the pole extension and a new antenna, but without increasing the pole burial depth.” (Comments, April 17, 2015, p. 7.)</p> <p>TURN supported revised Rules 94.11 and 94.12 issued in the proposed decision that preceded D.16-01-046. (Comments, November 19, 2015, pp. 2-4.)</p> | <p>substantial contribution to the final Rule 94.12.</p> <p>TURN opposed a proposed new Rule 94.10 that would require pad mounting of certain equipment “without good cause.” The Commission discussed opposition to the rule by many parties including TURN. (See Decision, p. 93, for TURN’s position.) The Commission declined to approve the proposed rule. TURN (and other opposing parties) prevailed.</p> <p>In discussion of proposed Rule 94.11, the Commission cited TURN’s position then stated, “Today’s decision adopts TURN’s suggestion that overturning calculations can safely substitute for a blanket and costly requirement to reset poles.” (Decision, pp. 100-101, 111 and footnote 130.)</p> <p>Taken as a whole, TURN substantially contributed to revisions of GO 95 safety rules.</p> | |
| <p>8. <u>Tariff Filings</u>. TURN proposed that the utilities should add pole attachment rules and charges to their published tariffs. (Comments, December 19, 2014, pp. 8-9; Comments, April 17, 2015, p. 2.)</p> | <p>The Commission rejected TURN’s proposal. Decision, pp. 45-46. TURN does not seek compensation for professional hours allocated to this issue. See Part III, Section A.c below for details.</p> | <p>Accepted.</p> |
| <p>9. <u>Revenues Exceeding 100% of Costs</u>. TURN suggested that pole attachment charges need not be reduced in situations where total billed revenues might exceed 100% of utility costs for a given pole. (Comments, December 19,</p> | <p>The Commission rejected TURN’s suggestion. Decision, pp. 40-42. TURN does not seek compensation for professional hours allocated to this issue. See Part III, Section A.c below for details.</p> | <p>Accepted.</p> |

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| 2014, p. 12; Reply Comments, January 7, 2015, p. 4.) | | |
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B. Duplication of Effort (§ 1801.3(f) and § 1802.5):

| | Intervenor's Assertion | CPUC Discussion |
|--|-------------------------------|------------------------|
| a. Was the Office of Ratepayer Advocates (ORA) a party to the proceeding? | Yes | Accepted. |
| b. Were there other parties to the proceeding with positions similar to yours? | Yes, but only in part | Accepted. |
| c. If so, provide name of other parties: Pacific Gas and Electric Company; San Diego Gas & Electric Company; Southern California Edison Company; and the Commission's Safety and Enforcement Division | | Accepted. |
| d. Intervenor's claim of non-duplication: The record for this proceeding is based on workshops, a workshop report, and eight rounds of filed comments. There was no evidentiary hearing or written brief. ORA placed a staff person (Scott Logan) on the service list, and ORA attended some of the scheduled workshops, but ORA's participation was limited. ORA did not file written comments and did not take positions on most ratemaking issues. (See the docket card for the proceeding.) Although TURN agreed with the participating electric utilities on some ratemaking issues, and TURN agreed with SED regarding a few safety rules, TURN was the only active party that specifically represented utility ratepayers. | | Accepted. |

C. Additional Comments on Part II :

| # | Intervenor's Comment | CPUC Discussion |
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| 1 | | The Commission rejected TURN's position on a third issue that is addressed in D.16-01-046 at Section 3.2.3.4, pages 37-38, regarding shared pole space. TURN's work on this issue did not substantially contribute. Based on our review of four sets of comments and reply comments (eight documents, total) filed by TURN during the period of July 2014-November 2015, it appears that TURN spent very little time on this matter. Therefore, we recommend a disallowance of one-half (1/2) hour. |

PART III: REASONABLENESS OF REQUESTED COMPENSATION**A. General Claim of Reasonableness (§ 1801 and § 1806):**

| | CPUC Discussion |
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| <p>a. Intervenor's claim of cost reasonableness: TURN's request for intervenor compensation seeks an award of approximately \$72,000 as the reasonable cost of our participation in this proceeding. In light of the quality of TURN's work, the importance of the issues addressed in this proceeding, and the magnitude of TURN's substantial contribution to the proceeding and the resulting decision, the Commission should have little trouble concluding that the amount requested is reasonable.</p> <p>This rulemaking considered issues regarding achievement of nondiscriminatory access to public utility poles and other utility infrastructure. The final decision states the Commission's expectation that such access would facilitate investment in wireless infrastructure, encourage more widespread deployment of broadband services, foster the provision of wireless services in previously unserved areas, and improve access to 911 service. (D.16-01-046, p. 2.) While it is difficult to put a precise monetary value on such outcomes, the Commission should have no doubt that they are all matters of high importance to residential and small commercial utility customers.</p> <p>TURN submits that our participation should result in substantial benefits for ratepayers. TURN's efforts helped achieve an outcome that reduces the risk of electric utility ratepayers subsidizing the costs of CMRS equipment installed on utility poles. TURN's participation also helped achieve a balanced outcome that permits installation of CMRS equipment but with terms and conditions that should ensure the CMRS companies pay their reasonable share of pole-related costs.</p> <p>In sum, the Commission should conclude that TURN's overall request is reasonable given the issues at stake in the rulemaking and the adopted outcomes.</p> | <p>TURN's claim is reasonable for the most part, but should be reduced for the reasons set forth below.</p> |
| <p>b. Reasonableness of hours claimed: This rulemaking was intended to encourage all interested parties and, ultimately, the Commission to identify and address issues regarding extension of right-of-way rules CRMS carriers. On many disputed issues, there were two industry camps, as the CMRS carriers and their allies supported positions that would provide them with less-fettered access to the existing utility infrastructure, and the electric utilities took positions that sought to impose various restrictions to such access. TURN regularly found itself in the middle, disagreeing with each of the utility camps on certain aspects of their positions and proposals. TURN also presented a unique position with regard to the numerous rule additions and</p> | <p>We reduce TURN's hours by one-half hour for work which did not substantially contribute. <i>See II. C.</i></p> |

modifications proposed by the Safety and Enforcement Division. TURN did so while relying on a two-person team throughout the proceeding. Given the disparity of the level of resources brought to bear by the two utility camps as compared to TURN's resources, the Commission should have not trouble determining that TURN's hours claimed are reasonable.

TURN seeks compensation for a total of approximately 200 hours devoted to this proceeding, the equivalent of 5-6 weeks of full-time work over a period of approximately a year and a half. Given the range and magnitude of TURN's substantial contribution to the proceeding, the Commission should find the number of hours reasonable in total. If the Commission looks to the time devoted to particular tasks, such as preparing and participating in workshops or reviewing the comments of a multitude of other parties in order to prepare reply comments and such, it should reach the same conclusion on a task-specific basis. The work was performed very efficiently, and the number of hours for each TURN representative was reasonable.

TURN Attorneys and Consultants:

James Weil served as TURN's lead representative throughout almost the entirety of this proceeding. TURN seeks compensation for approximately 150 hours of his substantive work on these matters. Given the several rounds of workshops and comments that preceded issuance of the Proposed Decision, as well as the numerous SED-proposed rule modifications requiring careful review and analysis, this figure should be found very reasonable.

Robert Finkelstein was TURN's attorney throughout this proceeding, except for two occasions when his unavailability required Thomas Long to appear on TURN's behalf. As the attached time sheets demonstrate, there was virtually no overlap between TURN's attorneys with regard to their work on this matter. Approximately 45 hours of attorney time were devoted to substantive matters in this proceeding. Again, given the nature of the issues and the range of dispute between the active parties as to some of those issues, this is a very reasonable figure.

Meetings or discussions involving more than one TURN attorney or expert:

In past compensation decisions the Commission has raised questions regarding entries that reflect two intervenor representatives participating in the same event, and has in some cases reduced compensation where such duplication appears. TURN submits that such duplication only very rarely occurred here, and does not warrant any reduction in the compensation award. With one exception, TURN had a single representative at

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| <p>each workshop it attended. The exception is a half-day of the November 2014 workshops, when Mr. Long and Mr. Weil attended the morning session together to determine whether the forum would be one at which the presence of a TURN attorney was essential. Once it was established that his presence was not essential, Mr. Long left coverage of the remainder of the workshops to Mr. Weil.</p> <p><u>Compensation Request Preparation Time:</u></p> <p>TURN is requesting compensation for 14.9 hours devoted to compensation-related matters, primarily preparation of this request for compensation (13.4 hours). The 1.5 hours sought for preparation of the Notice of Intent is slightly higher than the 0.5-1.0 hours TURN typically records for preparation of that pleading. The increase is due to TURN including in the Notice of Intent its annual financial hardship showing, which entails some record review and preparation of additional material for the NOI.</p> <p>Mr. Weil was primarily responsible for preparation of this request for compensation. His knowledge of all aspects of this proceeding, combined with his experience with the Commission's intervenor compensation program, enabled him to prepare the request in a more efficient manner than if it were prepared by one of the other attorneys. The 11.4 hours is consistent with the time he has sought for preparation of compensation requests of a similar scale in other proceedings. There is an additional 2.0 hours for Mr. Finkelstein for time required to add TURN-specific figures and to draft sections of the request, and his review of the overall request.</p> <p>In sum, the Commission should find that the number of hours claimed is fully reasonable in light of the complexity of the issues and TURN's relative success on the merits.</p> | | | | | | | | | | | | | |
| <p>c. Allocation of hours by issue: The informal nature of the proceeding made it difficult for TURN to record hours associated with individual issues. Therefore, TURN has allocated its recorded professional hours to specific issues using page counts of TURN comments filed after issuance of the scoping ruling but before issuance of the proposed decision. The results of that allocation are shown in Attachment 3 to this compensation request. TURN does not seek compensation for hours allocated to two issues for which the Commission specifically rejected TURN's proposals: (1) filing of tariffs for pole attachment service (1.96% of professional hours, or 2.9 hours by James Weil, 0.8 hours by Bob Finkelstein, and 0.1 hours by Tom Long); and (2) reduction of pole attachment charges when total billed revenues for available pole space exceed 100% of costs (1.31% of professional hours, or 2.0 hours by James Weil, 0.5 hours by Bob Finkelstein, and 0.1 hours by</p> | <p>The allocation of TURN's hours by issue is listed below. TURN's claimed hours exclude those claimed by representatives for work in Tariff Filings and Over-Collection categories.</p> <table> <tr> <td>No Subsidy Policy</td><td>2.61%</td></tr> <tr> <td>Dollars at Stake</td><td>7.84%</td></tr> <tr> <td>Rate Structure</td><td>37.91%</td></tr> <tr> <td>Expense Adder</td><td>11.11%</td></tr> <tr> <td>Accounting</td><td>4.58%</td></tr> <tr> <td>Discrimination</td><td>9.80%</td></tr> </table> | No Subsidy Policy | 2.61% | Dollars at Stake | 7.84% | Rate Structure | 37.91% | Expense Adder | 11.11% | Accounting | 4.58% | Discrimination | 9.80% |
| No Subsidy Policy | 2.61% | | | | | | | | | | | | |
| Dollars at Stake | 7.84% | | | | | | | | | | | | |
| Rate Structure | 37.91% | | | | | | | | | | | | |
| Expense Adder | 11.11% | | | | | | | | | | | | |
| Accounting | 4.58% | | | | | | | | | | | | |
| Discrimination | 9.80% | | | | | | | | | | | | |

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| Tom Long). | Safety Rules | 22.88% |
| | Tariff Filings | 1.96% |
| | Over-Collection | 1.31% |

B. Specific Claim:*

| CLAIMED | | | | | | CPUC AWARD | | |
|--|------|-------|----------|-----------------|-------------|-----------------------|--------------------|-------------|
| ATTORNEY, EXPERT, AND ADVOCATE FEES | | | | | | | | |
| Item | Year | Hours | Rate \$ | Basis for Rate* | Total \$ | Hours | Rate \$ | Total \$ |
| Robert Finkelstein | 2014 | 21.0 | \$505 | D.15-08-023 | \$10,605.00 | 21.0 | \$505 ¹ | \$10,605.00 |
| Robert Finkelstein | 2015 | 16.95 | \$505 | 2014 Rate | \$8,559.75 | 16.95 | \$505 | \$8,559.75 |
| Thomas Long | 2014 | 3.8 | \$570 | D.15-06-021 | \$2,166.00 | 3.8 | \$570 | \$2,166.00 |
| Thomas Long | 2015 | 1.25 | \$570 | 2014 Rate | \$712.50 | 1.25 | \$570 ² | \$712.50 |
| James Weil | 2014 | 56.0 | \$325 | D.15-08-023 | \$18,200.00 | 56.0 | \$325 | \$18,200.00 |
| James Weil | 2015 | 88.7 | \$325 | D.15-08-020 | \$28,827.50 | 88.2 | \$325 | \$28,665.00 |
| James Weil | 2016 | 0.4 | \$325 | 2015 Rate | \$130.00 | .4 | \$325 ³ | \$130.00 |
| Subtotal: \$69,200.75 | | | | | | Subtotal: \$69,038.25 | | |
| INTERVENOR COMPENSATION CLAIM PREPARATION ** | | | | | | | | |
| Item | Year | Hours | Rate \$ | Basis for Rate* | Total \$ | Hours | Rate | Total \$ |
| Robert Finkelstein | 2014 | 1.5 | \$252.50 | ½ of 2014 Rate | \$378.75 | 1.5 | \$252.50 | \$378.75 |
| Robert Finkelstein | 2016 | 2.0 | \$252.50 | ½ of 2014 Rate | \$505.00 | 2 | 252.5 | \$505.00 |
| James Weil | 2016 | 11.4 | \$162.50 | D.15-08-020 | \$1,852.50 | 11.4 | \$162.50 | \$1,852.50 |
| Subtotal: \$2,736.25 | | | | | | Subtotal: \$2,736.25 | | |

¹ See Decision 15-08-023.² See Decision 15-06-021.³ See Decision 15-08-020.

| COSTS | | | | |
|---|--------------|--|----------------------------|---|
| # | Item | Detail | Amount | Amount |
| | Weil postage | Attachment 4, Weil invoices | \$7.94 | \$7.94 |
| | Weil copies | Attachment 4, Weil invoices, 191 pages at 10 cents | \$19.10 | \$19.10 |
| | TURN postage | Three pleadings – hard copies served on CPUC | \$3.57 | \$3.57 |
| | TURN copies | Three pleadings – copying for CPUC service | \$2.40 | \$2.40 |
| | | | Subtotal: \$33.01 | Subtotal: \$33.01 |
| | | | TOTAL REQUEST: \$71,970.01 | TOTAL AWARD: \$71,807.51 |
| <p>**We remind all intervenors that Commission staff may audit their records related to the award and that intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Intervenor’s records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.</p> <p>**Travel and Reasonable Claim preparation time typically compensated at ½ of preparer’s normal hourly rate.</p> | | | | |
| ATTORNEY INFORMATION | | | | |
| Attorney | | Date Admitted to CA BAR ⁴ | Member Number | Actions Affecting Eligibility (Yes/No?) If “Yes”, attach explanation |
| Robert Finkelstein | | 6/13/90 | 146391 | No |
| Thomas Long | | 12/11/86 | 124776 | No |

D. CPUC Disallowances and Adjustments:

| Item | Reason |
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| Disallowance of time for work which did not substantially contribute | We disallow a half-hour from Weil's 2015 hours for work related to pole space, which did not substantially contribute. <i>See</i> II.C. |

PART IV: OPPOSITIONS AND COMMENTS

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| A. Opposition: Did any party oppose the Claim? | No |
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⁴ This information may be obtained through the State Bar of California's website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch>.

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| B. Comment Period: Was the 30-day comment period waived (<i>see</i> Rule 14.6(c)(6))? | Yes. |
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FINDINGS OF FACT

1. TURN has made a substantial contribution to D.16-01-046.
2. The requested hourly rates for TURN's representatives are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses, as adjusted herein, are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is \$71,807.51.

CONCLUSIONS OF LAW

1. The Claim, with any adjustment set forth above, satisfies all requirements of Pub. Util. Code §§ 1801-1812.
2. This proceeding should be closed.

ORDER

1. The Utility Reform Network shall be awarded \$71,807.51.
2. Within 30 days of the effective date of this decision, San Diego Gas & Electric Company, Southern California Edison Company, Pacific Gas and Electric Company, AT&T Mobility Wireless Operations Holdings, Inc., New Cingular Wireless PCS, LLC d/b/a AT&T Mobility, and Santa Barbara Cellular Systems, Ltd shall pay Intervenor their respective shares of the award, based on their California-jurisdictional electric and telecommunications revenues for the 2015 calendar year, to reflect the year in which the proceeding was primarily litigated. Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning May 11, 2016, the 75th day after the filing of The Utility Reform Network's request, and continuing until full payment is made.

3. The comment period for today's decision is waived.
4. Rulemaking 14-05-01 is closed.

This decision is effective today.

Dated _____, 2016, at San Francisco, California.

APPENDIX
Compensation Decision Summary Information

| | | | |
|---------------------------|--|--------------------|----|
| Compensation Decision: | | Modifies Decision? | No |
| Contribution Decision(s): | D1601046 | | |
| Proceeding(s): | R1405001 | | |
| Author: | ALJ Kenney | | |
| Payer(s): | Pacific Gas and Electric, Southern California Edison, and San Diego Gas and Electric, AT&T Mobility Wireless Operations Holdings, Inc., New Cingular Wireless PCS, LLC d/b/a AT&T Mobility, and Santa Barbara Cellular Systems, Ltd. | | |

Intervenor Information

| Intervenor | Claim Date | Amount Requested | Amount Awarded | Multiplier? | Reason Change/ Disallowance |
|-----------------------------------|-------------------|-------------------------|-----------------------|--------------------|---|
| The Utility Reform Network (TURN) | 2/26/16 | \$71,970.01 | \$71,807.51 | N/A | Disallowance of 0.5 hour for work which did not substantially contribute. |

Advocate Information

| First Name | Last Name | Type | Intervenor | Hourly Fee Requested | Year Hourly Fee Requested | Hourly Fee Adopted |
|-------------------|------------------|-------------|-------------------|-----------------------------|----------------------------------|---------------------------|
| Robert | Finkelstein | Attorney | TURN | \$505 | 2014 | \$505 |
| Robert | Finkelstein | Attorney | TURN | \$505 | 2015 | \$505 |
| Robert | Finkelstein | Attorney | TURN | \$505/ \$252.50 | 2016 | \$505/ \$252.50 |
| Thomas | Long | Attorney | TURN | \$570 | 2014 | \$570 |
| Thomas | Long | Attorney | TURN | \$570 | 2015 | \$570 |
| James | Weil | Expert | TURN | \$325 | 2014 | \$325 |
| James | Weil | Expert | TURN | \$325 | 2015 | \$325 |
| James | Weil | Expert | TURN | \$325 | 2016 | \$325 |

(END OF APPENDIX)